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June 15, 2022

**VIA ECF**

Honorable Barbara Moses  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: *Morgan Art Foundation Ltd. v. McKenzie*, 18-cv-04438 (AT)  
Response to Second Letter of Luke Nikas on Behalf of MAF (at ECF 497)**

Dear Judge Moses:

On behalf of Defendant Michael McKenzie d/b/a American Image Art (herein, “McKenzie”) in response to the second letter of Luke Nikas on behalf of Plaintiff Morgan Art Foundation Limited (“Morgan”) filed today at ECF No. 497, we reply briefly as follows.

How convenient for one litigant to avoid a remedy provided by the rules by simply telling this Court that McKenzie’s motion is “detached from reality” sight unseen. (Nikas Letter, ECF 497, p. 2)

If Morgan would bother to allow the Court to review our pre-motion letter, it will show it is not at all dependent on expert testimony and should not be disallowed because apparently Mr. Nikas neglected to seek an extension of the scheduling order deadlines.

Even if this Court grants Morgan an extension of the deadlines requested, this should not prevent our pre-motion letter from being submitted for consideration now.

Respectfully submitted,

/s/ John J.E. Markham, II  
John J.E. Markham, II  
Counsel for Michael McKenzie